

Chapter 13: Tribal Enforcement

Section 13.005: Handling Tribal Matters and Documenting Tribal Information

This section describes who is responsible for maintaining a tribal case and how to document tribal information on a case.

CONTENTS

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| Laws | Chapter 26.25 RCW cooperative child support services - tribes Washington State Centennial Accord of 1989 |
| Policy | Cases meeting the definition of a tribal case are centralized and managed by a Tribal Liaison. DCS works with Indian tribes to develop informal processes and cooperative agreements to provide culturally relevant child support services. Regional DCS Tribal Relations staff and ESA STRU work in partnership. |
| Procedure | Consult your regional Tribal Liaison for agreed upon processes and cooperative agreements with the tribe and when there are any tribal connections on a case. This includes NCP, CP child, or employer. Document tribal information on SEMS. |
| Visual Aids | Tribal Relations Internet site Tribal Chart 1SEMS Web TI - Tribal Information |
| Automated Actions | If any party's BI is coded with a tribal affiliation, SEMS will change Enf Svcs on BC to 8. No Auto Eval will occur. |
| SEMS Screens | BC, OR, IA, ES, CC, BI |
| Forms Used | 14-057, Child Support Referral - Tribe, TANF Assignment - Tribal Most DCS forms note procedures for tribal cases. |
| Hearing and Conference Board Rights | Refer all requests to the Regional Tribal Liaison or Tribal Claims Officer. |
| See Also | DSHS Administrative Policy 7.01 Admin Policy 3.04 - Claims Officers in Tribal Court Chapter 2 - Case Set Up Chapter 17 - Case Records |

PROCEDURES

A. Who handles tribal matters?

1. Economic Services Administration State Tribal Relations Unit (ESA STRU) has staff designated for child support who are primarily responsible for:
 - a. Reviewing and proposing DCS state and tribal policy.
 - b. Negotiating cooperative child support agreements with Indian tribes.
 - c. Providing assistance, information, and training for Regional DCS Tribal Relations staff, tribal officials and members.
 - d. Reviewing state/federal child support legislation for impact on Indian tribes and DCS tribal policy.
 - e. Tribal Consultation concerning proposed child support legislation and policy.
2. DCS regions have centralized tribal caseloads, managed by tribal liaisons who:
 - a. Manage tribal cases, (see 13.000 I and J) and
 - b. Provide tribal outreach services and training, and
 - c. Serve as the contact, resource, and expert on state and tribal relations for regional staff, local tribes, and ESA STRU.
3. Each tribe within a region may have various state/tribal agreed upon processes and cooperative agreements with DCS. Consult your Tribal Liaison for guidance in determining if a case belongs in the tribal caseload.
4. Each DCS region has a Tribal Claims Officer who handles legal issues relating to tribes and brings cases into tribal court. Contact ESA STRU and the AAG if a tribal court raises jurisdictional issues or constitutional challenges.
5. Regional DCS Tribal Relations staff and ESA STRU work in partnership with each other and with Indian tribes to provide necessary and appropriate child support services.

B. Where are the tribal courts in Washington?

1. *See Chart 1 - Tribal Courts of Indian Tribes in Washington State on the Intranet.*

C. Who are the DCS Tribal Liaisons, Tribal Claims Officers and Indian Tribes in each region?

1. *See SEMS Web TI - Tribal Information*

D. How do I document tribal information on a case?

1. Use **CC** 76 to document all tribal related comments.
2. On the **BI** screen, verify the Ethnicity Code and Tribal Affiliation Code for all parties. If Ethnicity Code AI is added for any party, SEMS will automatically change the Enforcement Services field on the **BC** to 8 Tribal.
3. On the **BC** screen, verify the Enforcement Services field. If the case is not a tribal case (see A. 1., above), change the Enforcement Services field to the appropriate code.
4. See *Section 13.015* for tribal TANF cases.

E. How do DCS Tribal Relations staff and Indian Tribes communicate information with each other?

1. DCS Tribal Relations staff and Indian Tribes communicate information by telephone, letters, e-mail, meetings, and by the **DCS and Tribe Information Change Notice**, DSHS 18-617.